

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION

UNITED STATES OF AMERICA

v.

DAMON KEON FOLEY,

Defendant.

CRIMINAL ACTION NO.
3:24-cr-00014-TES-CHW-1

ORDER GRANTING DEFENDANT'S UNOPPOSED MOTION TO CONTINUE

Before the Court is Defendant Damon Keon Foley's Unopposed Motion to Continue Trial in the Interest of Justice [Doc. 15]. On April 9, 2024, the Grand Jury returned a two-count Indictment [Doc. 1] charging Defendant Foley with one count of Possession with Intent to Distribute Cocaine in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B)(ii), and 18 U.S.C. § 2 and one count of Possession with Intent to Distribute Crack Cocaine in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(C), and 18 U.S.C. § 2. On April 24, 2024, Defendant Foley pled "not guilty" at his arraignment and was detained pending trial. [Doc. 6]; [Doc. 12]. On April 26, 2024, the Court scheduled Defendant Foley's pretrial conference for May 1, 2024. [Doc. 13].

Defendant filed this Motion on April 29, 2024, seeking a continuance. [Doc. 15]. In his Motion, Defendant states that he "has not received the discovery in the case" and

represents that the Government “does not oppose this request.” [*Id.* at p. 1].

The Court finds that granting Defendant’s request serves the ends of justice. The Court further finds that the ends of justice served by granting Defendant’s request outweigh the interests of Defendant and the public in a speedy trial. Failure to grant a continuance would deny the parties reasonable time to prepare and review discovery, research and investigate the issues this case presents, and to engage in meaningful negotiations.

Thus, the Court **GRANTS** Defendant’s Motion [Doc. 15] and **CONTINUES** the Pretrial Conference until July 9, 2024, and the trial of this matter until August 26, 2024. The delay occasioned by this continuance shall be deemed excludable pursuant to the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and 3161(h)(7)(B)(iv).

SO ORDERED, this 30th day of April, 2024.

S/ Tilman E. Self, III
TILMAN E. SELF, III, JUDGE
UNITED STATES DISTRICT COURT